

REMARKS

Upon entry of the foregoing amendment, claims 4-9, 11-14 and 16 are pending in the application, with claim 4 being the independent claim. Claims 4, 6-9, 11-13, and 16 are sought to be amended. Claims 1-3 and 10 are sought to be cancelled by the present amendment without prejudice to or disclaimer of the subject matter therein. Claim 15 was cancelled by previous amendment. Claims 8, 9, and 12 are currently withdrawn from consideration as being drawn to a nonelected invention.

Although claims 8, 9, and 12 are currently withdrawn from consideration, Applicants have amended these claims so that the scope of the recited subject matter corresponds to that of the pending claims under examination. Applicants respectfully request that, if the examined claims are allowed, the Examiner consider the withdrawn claims and rejoin them with the pending claims.

Applicants have amended claim 4 to put this claim into independent form and to incorporate elements of claim 1, the base claim. Claims 6-9, 11-13, and 16 have been amended to depend from claim 4. In addition, claims 9 and 12 have been amended to correct minor typographical errors and to put these claims into typical U.S. claim format.

The amendments to claims 4, 6-9, 11-13, and 16 have been made to put these claims into better form for consideration on appeal, as required under 37 C.F.R. § 1.116(b)(2). Amended claims 4, 6-9, 11-13, and 16 were not presented earlier because Applicants believed that these claims were allowable in their previous forms.

These changes are believed to introduce no new matter, and their entry is respectfully requested. Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

I. The Rejection of the Claims Under 35 U.S.C. § 102

Claims 1 and 6 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Baik *et al.*, WO 98/42666 ("Baik"). (Office Action, at page 2, paragraph 3.)

To expedite prosecution and without acquiescing to the propriety of the Examiner's rejection, Applicants have cancelled claim 1.

Applicants have also amended claim 6 to depend from claim 4, which the Examiner indicates would be allowable if rewritten in independent form. (Office Action, at page 3, paragraph 7.) Applicants have followed the Examiner's suggestion and amended claim 4 into independent form by the present amendment. Accordingly, Applicants believe that amended claim 4 is now allowable. Applicants submit that claim 6 as presented is also allowable because it recites subject matter falling within the scope of amended claim 4.

Applicants believe that the rejection of claims 1 and 6 under 35 U.S.C. § 102(b) has been overcome and respectfully request that the Examiner withdraw the rejection.

II. The Rejection of the Claims Under 35 U.S.C. § 103

Claims 1, 7, 13, 14, and 16 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hiraga *et al.*, U.S. Pat. No. 4,590,189 ("Hiraga"). (Office Action, at page 3, paragraph 6.)

As discussed above, Applicants have cancelled claim 1.

To expedite prosecution and without acquiescing to the propriety of the Examiner's rejection, Applicants have amended claims 7, 13, and 16 to depend from claim 4, which, as discussed above, the Examiner indicates would be allowable if rewritten in independent form. Because claim 4 as currently presented is in independent form and thus should be allowable, Applicants believe that claims 7, 13 and 16 are also allowable, because these claims recite subject matter falling within the scope of claim 4. Because claim 14 indirectly depends from claim 4, Applicants also believe that claim 14 as currently presented is allowable.

Applicants believe that the rejection of claims 1, 7, 13, 14, and 16 under 35 U.S.C. § 103(a) has been overcome and respectfully request that the Examiner withdraw the rejection.

IV. Allowable Subject Matter

The Examiner objects to claims 4, 5 and 11 as being dependent upon a rejected base claim, but states that these claims "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." (Office Action, at page 3, paragraph 7.)

Applicants wish to thank the Examiner for considering claims 4, 5 and 11 allowable. To expedite prosecution and without acquiescing to the propriety of the Examiner's rejection, Applicants have amended these claims as suggested by the Examiner.

Accordingly, Applicants believe that the objection to claims 4, 5 and 11 has been overcome and respectfully request that the Examiner withdraw the rejection.

CONCLUSION

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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